

## **REMARKS**

### **Status of the Claims**

The Office Action mailed June 14, 2010 noted that claims 1-21, 23 and 25-34 were pending, claims 26 and 32 are allowed, rejected claims 1-21, 23, 25, 27-31 and 33 and objected to claim 34. Claims 2, 4, 5, 6, 9-12, 15, 19, 20, 21, 27, 28, 31, 33 and 34 are amended. Claim 1 is cancelled. No new claims are added. No new matter is believed to be presented.

It is respectfully submitted that claims 2-21, 23 and 25-34 are pending and under consideration.

### **Claim Objections**

The Office Action, on page 2, objected to claim 11 for having informalities. Claim 11 is amended and it respectfully requested that the objection be withdrawn.

### **Rejection under 35 U.S.C. § 101**

The Office Action, on page 3, rejected claim 27 as being directed to non-statutory subject matter. Claim 27 is amended and it is respectfully requested that the rejection be withdrawn.

### **Rejections under 35 U.S.C. § 103**

The Office Action, on page 4, rejected claims 1-9, 11-14, 20, 21, 23, 27-29, 31 and 33 under 35 U.S.C. § 103(a) as being unpatentable over Ono, Fukuzaki and Durrani. The Office Action, on page 11, rejected claims 25 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Ono, Fukuzaka, Durrani and Keely, Jr. The Office Action, on page 12, rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Ono, Fukuzaki, Durrani and Kurtenbach. The Office Action, on page 13, rejected claims 15-18 under 35 U.S.C. § 103(a) as being unpatentable over Ono, Fukuzaki, Durrani and Anderson. The Office Action, on page 15, rejected claim 19 under 35 U.S.C. § 103(a) as being unpatentable over Ono, Fukuzaki, Durrani, Anderson and Kurtenbach.

It is respectfully submitted that claim 34 patentably distinguishes over Ono, Fukuzaki and Durrani, taken alone and in combination, because nothing cited or found discusses "the controls arranged along the arc shaped persistent graphic have an overlap interference angle of less than forty-five degrees." The Office Action, on page 19, admitted that the cited references, taken alone and in combination, do not discuss the above distinguishable features.

Claim 5 patentably distinguishes over Ono, Fukuzaki and Durrani, taken alone and in combination, because nothing cited or found discusses "the controls arranged along the arc shaped graphic have an overlap interference angle of less than forty-five degrees."

Claim 12 patentably distinguishes over Ono, Fukuzaki and Durrani, taken alone and in combination, because nothing cited or found discusses "the controls arranged along the interface arc have an overlap interference angle of less than forty-five degrees."

Claim 15 patentably distinguishes over Ono, Fukuzaki, Durrani and Anderson taken alone and in combination, because nothing cited or found discusses "the controls arranged along the persistent arc shaped graphic have an overlap interference angle of less than forty-five degrees."

Claim 19 patentably distinguishes over Ono, Fukuzaki, Durrani, Anderson and Kurtenbach, taken alone and in combination, because nothing cited or found discusses "the controls arranged along the arc shaped persistent graphic have an overlap interference angle of less than forty-five degrees."

Claim 20 patentably distinguishes over Ono, Fukuzaki and Durrani, taken alone and in combination, because nothing cited or found discusses "the controls arranged along the persistent graphical user interface in the arc shape have an overlap interference angle of less than forty-five degrees."

Claim 21 patentably distinguishes over Ono, Fukuzaki and Durrani, taken alone and in combination, because nothing cited or found discusses "the controls arranged along the graphical user interface in the arc shape have an overlap interference angle of less than forty-five degrees."

Claim 27 patentably distinguishes over Ono, Fukuzaki and Durrani, taken alone and in combination, because nothing cited or found discusses "the controls arranged along the persistent graphical user interface in the arc shape have an overlap interference angle of less than forty-five degrees."

Claim 28 patentably distinguishes over Ono, Fukuzaki and Durrani, taken alone and in combination, because nothing cited or found discusses "the controls positioned along the interface arc have an overlap interference angle of less than forty-five degrees."

Claim 31 patentably distinguishes over Ono, Fukuzaki and Durrani, taken alone and in combination, because nothing cited or found discusses "the controls arranged along the interface graphic have an overlap interference angle of less than forty-five degrees."

Claim 33 patentably distinguishes over Ono, Fukuzaki and Durrani, taken alone and in combination, because nothing cited or found discusses "the controls arranged along the arc shaped persistent graphic have an overlap interference angle of less than forty-five degrees."

The dependent claims depend upon the above discussed independent claims and are patentable over the cited references for at least the reasons above.

Withdrawal of the rejections is respectfully requested.

### **Allowable Subject Matter**

The Office Action, on page 17, noted that claims 26 and 32 are allowed.

The Office Action, on page 19, noted that claim 34 is allowable if rewritten in independent form. As noted above, claim 34 is amended to be in independent form and thus is allowable.

### **Summary**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

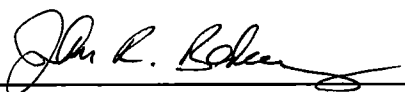
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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